

HIRAM HUMPHREYS.

MARCH 30, 1860.—Ordered to be printed.

Mr. TAPPAN, from the Committee on Claims, made the following

REPORT.

The Committee on Claims, to whom was referred the memorial of Hiram Humphreys, praying remuneration for losses sustained in building a bridge for the United States government, have had the same under consideration, and beg leave to report :

That in the month of June, 1835, the memorialist contracted with Lieutenant Sibley, United States army, for the construction of a bridge across Crooked creek, on the road leading from Detroit to Chicago, and for improving one-quarter of a mile of said road, for which the memorialist was to receive the sum of five hundred dollars. Memorialist proceeded to comply with said contract by the erection of abutments, and the collection and framing of timbers. Just before raising the bridge there came a freshet, and the creek became so swollen that the timbers of the memorialist were swept away and much damage was done the abutments. The banks of the creek were so much washed that it became necessary to lengthen the bridge beyond what was at first deemed necessary. For this extension of the bridge the government allowed and paid the additional sum of \$138 55. The memorialist claimed indemnity for his loss in timber and damage otherwise done by the freshet, which being refused by the executive department, he appealed to Congress. At the 3d session of the 25th Congress, and again at the 1st session of the 29th Congress, the claim was reported on adversely ; and it appears to your committee that a bare statement of the grounds upon which the claim is based should suffice to show that there is no liability on the part of the government either in law or equity. The property swept off by the freshet belonged to the memorialist, and its loss was his misfortune. For the enlargement of the work beyond the contemplation of the contract, rendered necessary by the action of the freshet, the memorialist was paid by the government. Your committee, believing there is no further claim upon the government, report back the memorial, and recommend that the prayer of the memorialist be not granted.

